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EXAMINER

PHAM, THIERRY L

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/851,705	<b>Applicant(s)</b> NIITSÚMA ET AL.	
	<b>Examiner</b> Thierry L Pham	<b>Art Unit</b> 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Preliminary amendment filed corresponding to an Abstract have been received and acknowledged.

#### *Specification*

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-9, 11-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakai et al (U.S. 5909602).

Regarding claim 1, Nakai discloses an image forming system (image forming system, fig. 2 & 11) comprising:

(●) an image forming apparatus (digital copy machine, fig. 2) comprising:

(1) an image reading means (image input reading means 70, fig. 3) for reading a document and converting (CCD part 70a for converting input data, fig. 3, col. 9, lines 12-20) into image data,

(2) a function selection means (digital copy machine includes a control panel for selecting different image processing functions, fig. 5) for enabling an operator who operates the image reading means to select a desired image processing function (different image processing functions can be selected via control panel, fig. 6-9);

(3) a first image processing means (image processing 71 includes plurality of different image processes, fig. 3) for image-processing image data read out by the image reading means,

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- (4) a read-out data transferring means (image data transmission unit 81 for transmitting image data to an external devices such as host computer, fig. 4) for transferring the image data read out by the image reading means onto a network;
- (5) an image forming means (laser output unit 72 for forming images on paper media, fig. 3) for forming an image according to the image-processed image data, and
- (6) a control means (PCU 74 and image processing unit 71, fig. 3) for controlling an image processing and an image formation according to the function selection means; and
- (●) an image processing apparatus (host computer, fig. 11) connected to the network, comprising:
  - (1) a second image processing means (host computer includes plurality of different image processing applications, table 16, col. 15-16) for processing the image data transferred by the read-out data transferring means, and
  - (2) a writing data transferring means (transferring via communication network, fig. 11) for transferring the image data processed by the second image processing means onto the network (host computer transfers the processed image data back to the digital copy machine, cols. 15-16 and col. 20, lines 12-40), wherein the control means transfers (digital copy machine transfers the scanned image data to the host computer with selected image processing parameters, table 16, cols. 15-16 and col. 20, lines 13-40) the image data to the image processing apparatus connected to the network by the read-out data transferring means according to the image processing function selected by the function selection means (digital copy machine transfers scanned image data to the host computer with selected functions/parameters as shown in fig. 5-8 and table 2, cols. 15-16), and conducts a second control to transfer the image data processed by the second image processing means to the image forming apparatus by the writing data transferring means (host computer transfers the processed image data based upon functions selected back to the predefined digital copy machine, col. 2, lines 15-67 and cols. 15-16 and col. 20, lines 12-40).

Regarding claim 2, Nakai further discloses the image forming system of claim 1, wherein the second image processing means conducts an image processing by software (software for processing image editing function incorporated within the host computer, fig. 11, table 2, cols. 15-16).

Regarding claim 3, Nakai further discloses the image forming system of claim 2, wherein the image processing of the second image processing means includes at least one of a fair copy function, an inclination correction function, a dirt removal function, a font conversion function and a character recognition function (image editing function such as trimming/masking/enlarging and etc. of host computer, table 2, cols. 15-16).

Regarding claim 4, Nakai further discloses the image forming system of claim 1, wherein the control means is capable of conducting a first control to make the first image processing means to process the image data in response to the image processing function (i.e. trimming/masking/synthesis, fig. 6) selected by the function selection means.

Regarding claim 5, Nakai the image forming system of claim 1, wherein the image processing apparatus is a computer (host computer, fig. 11) having a communication function.

Regarding claim 6, Nakai further discloses the image forming system of claim 1, wherein the image processing apparatus (digital copy machine, fig. 3 and fig. 11) is an image forming apparatus having a communication function.

Regarding claim 7, Nakai further discloses the image forming system of claim 1, wherein in the second control, the function selection means communicates (via network, fig. 11) with the second image processing means, and obtains function information which can be processed by the second image processing means (functions that can be processed by host computer, table 2, cols. 15-16), and presents (control panel, fig. 5) to the operator as a selectable function.

Regarding claim 8, Nakai further discloses the image forming system of claim 7, wherein the image forming apparatus further comprises a third data memory means (memory 73, fig. 3-4) capable of storing information in relation to an image processing function (storing image processing programs, cols. 11-12, fig. 3-4) which can be selected by the function selection

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means, and function information which can be processed by the second image processing means, has been stored in the third data memory means in advance.

Regarding claim 9, Nakai further discloses the image forming system of claim 1, wherein the function selection means comprises a display means (LCD of control panel, figs. 5-8) capable of displaying a plurality of image processing functions.

Regarding claim 11, Nakai further discloses the image forming system of claim 1, wherein the image data converted by the image reading means is the multi-valued luminance (multi-value luminance conversion means, fig. 3).

Regarding claim 12, Nakai further discloses the image forming system of claim 1, wherein the image data converted by the image reading means is the compression data (compression unit 71h, fig. 3).

Regarding claims 13-14, Nakai further discloses the image forming system of claim 1, wherein the image forming apparatus further comprises a first data memory means (memory 73, fig. 3-4) for storing the image data for each document processed by the first image processing means.

Regarding claim 15, Nakai further discloses the image forming system of claim 1, further comprising a processing method change means for changing a processing method of the first image processing means according to the function (change to any other image processing functions using control panel, fig. 6-8) selected by the function selection means.

Regarding claim 16, Nakai further discloses the image forming system of claim 15, wherein when image data is processed by the second image processing means, the processing method change means processes according to the function selected by the function selection means so that the first image processing means regards the image data converted by the image

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reading means as multiple-valued luminance data (multi-value luminance conversion means for converting image data, fig. 3).

Regarding claim 17, Nakai further discloses the image forming system of claim 1, wherein the first image processing means comprises data compression processing (compression unit, fig. 3).

Regarding claim 18, Nakai further discloses the image forming system of claim 1, wherein the second image processing means is commonly used by a plurality of read-out data transferring means (plurality of scanners/digital copy machines, fig. 11).

Regarding claim 19, Nakai further discloses the image forming system of claim 1, wherein the control means communicates with other devices connected to the network on the basis of network addresses (inherently, each digital copy machines/host computers have its own IP address, fig. 11).

Regarding claim 20, Nakai further discloses the image forming system of claim 1, wherein when the read-out data transferring means transfers the image data to the image processing apparatus, the read-out data transferring means transfers while adding an address on the network of the read-out data transferring means to the image data (inherently, each digital copy machines/host computers have its own IP address and designated a return address when the image process is completed by host computer, fig. 11 and fig. 24-26).

Regarding claim 21, Nakai further discloses the image forming system of claim 20, wherein the image data processed by the second image processing means is transferred onto the image forming apparatus on the basis of the added address (host computer transfers the processed image data back to a predefined digital copy machines address, fig. 24-26, cols. 23-24).

Regarding claim 22, Nakai further discloses the image forming system of claim 1, wherein the priority is provided in the processing conducted by the image forming apparatus (priority using interrupt features, col. 11, lines 20-35), and the control means controls so that other processing with a lower priority is not conducted while a processing with a higher priority is conducted (priority using interrupt features, col. 11, lines 20-35).

Regarding claim 23, Nakai further discloses the image forming system of claim 22, wherein the processing by which the priority is provided is in the processing of the basic function and the processing of the network function, and the priority (priority using interrupt features, col. 11, lines 20-35) of the processing of the basic function is set higher than that of processing of the network function.

Regarding claim 24, Nakai further discloses the image forming system of claim 23, wherein the processing of the basic function and the processing of the network function are controlled and conducted by a single CPU (CPU 74, fig. 4).

Regarding claim 25, Nakai further discloses the image forming system of claim 22, wherein the priority can be arbitrarily changed (priority using interrupt features, col. 11, lines 20-35).

Regarding claim 26, Nakai further discloses the image forming system of claim 1, wherein the data transferred through the network has an area showing a logical channel different depending on the kind of the data (scanned image data can be sent to host computer and/or to other digital copy machines, fig. 11 and fig. 24-26).

Regarding claim 27, Nakai further discloses the image forming system of claim 1, wherein the image forming apparatus further comprises a compression selection means (i.e. trimming, magnification, reduce/enlarge, fig. 7) capable of selecting whether data is transferred while being compressed or uncompressed, when the data is transferred through the network.



Regarding claim 28, Nakai further discloses an image forming apparatus (digital copy machine, fig. 2) capable of being connected to a network, comprising: (a) an image reading means (image input reading means 70, fig. 3) for reading a document and converting into image data; (b) a function selection means (digital copy machine includes a control panel, fig. 5) for enabling an operator who operates the image reading means to select a desired image processing function (different image processing can be selected via control panel, fig. 6-9); (c) a first image processing means (image processing 71 includes plurality of different image processes, fig. 3) for image processing the image data read out by the image reading means; (d) a reading data transferring means (image data transmission unit 81, fig. 4) for transferring the image data read out by the image reading means onto the network; (e) an image forming means (laser output unit 72, fig. 3) for forming an image according to the image processed image data; and (f) a control means (digital copy machine transfers the scanned image data to the host computer with selected image processing parameters, table 16, cols. 15-16 and col. 20, lines 13-40) for controlling an image processing and an image formation according to the function selection means, wherein the control means conducts a second control to transfer the image data onto the network by the reading data transferring means, to direct the image processing, and to receive the image data after the image processing, according to the image processing function selected by the function selection means (host computer transfers the processed image data back to the digital copy machine, col. 2, lines 15-67 and cols. 15-16 and col. 20, lines 12-40).

Regarding claim 29, Nakai further discloses the image forming apparatus of claim 28, wherein the control means is capable of conducting a first control to make the first image processing means to process the image data in response to the image processing function selected by the function selection means (image editing function such as trimming/masking/enlarging figs. 6-8).

Regarding claim 30, Nakai further discloses the image forming apparatus of claim 28, wherein in the second control, the function selection means communicates with an image processing apparatus connected to a network, and obtains function information which can be

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processed by the image processing apparatus (functions that can be processed by host computer, table 2, cols. 15-16), and presents to the operator as a selectable function.

Regarding claim 31, Nakai further discloses the image forming apparatus of claim 30, further comprising a third data memory means (memory 73, fig. 3-4) capable of storing information in relation to an image processing function which can be selected by the function selection means, and function information which can be processed by the image processing means; has been stored in the third data memory means in advance (storing image processing programs, cols. 11-12, fig. 3-4).

Regarding claim 32, Nakai further discloses the image forming apparatus of claim 28, wherein the function selection means comprises a display means (LCD of control panel, figs. 5-8) capable of displaying a plurality of image processing functions.

Regarding claim 33, Nakai further discloses the image forming apparatus of claim 28, further comprising a first data memory means (memory 73, fig. 3-4) for storing the image data for each document processed by the first image processing means.

Regarding claim 34, Nakai further discloses the image forming apparatus of claim 28, wherein the first image processing means comprises means for data compressing processing (compression unit, fig. 3).

Regarding claim 35, Nakai further discloses the image forming apparatus of claim 28, wherein the control means communicates with image processing apparatus connected to the network on the basis of network addresses (inherently, each digital copy machines/host computers have its own IP address, fig. 11 and fig. 24-26).

Regarding claim 36, Nakai further discloses the image forming apparatus of claim 35, wherein when the read-out data transferring means transfers the image data to the image processing apparatus, the read-out data transferring means transfers while adding an address

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(inherently, each digital copy machines/host computers have its own IP address, fig. 11 and fig. 24-26) on the network of the read-out data transferring means to the image data (designated a return address, fig. 24-26).

Regarding claim 37, Nakai further discloses the image forming apparatus of claim 36, wherein the image data processed by the image processing means is transferred onto the image forming apparatus on the basis of the added address (host computer transfers the processed image data back to a predefined digital copy machines address, fig. 24-26, cols. 23-24).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakai et al as described in claim 1 above, and in view of Yokoyama (U.S. 6,166,826).

Regarding claim 10, Nakai discloses data transferring means, but fails to teach transferring means using an E-mail on the internet, FTP protocol, or http protocol.

Yokoyama, in the same field of endeavor for image forming system (fig. 2), teaches a transferring means using an E-mail on the internet, FTP protocol, or http protocol (web browser and HTTP, fig. 2 and col. 13, lines 34-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Nakai as per teachings of Yokoyama because of a following reason: (●) enable the user to read and retrieve the attribute information and to transmit image data files using web browser and allows users to operate the printing system more efficiently (Yokoyama, col. 13, lines 34-50).

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Therefore, it would have been obvious to combine Nakai with Yokoyama to obtain the invention as specified in claim 10.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents/publications are relevant to applicant's disclosure invention.

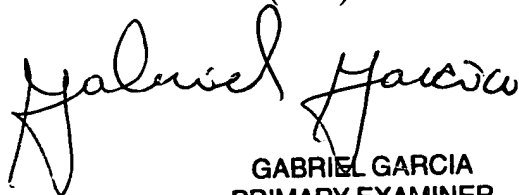
- U.S. 20010052995 to Idehara, teaches an image forming system for transmitting scanned image data from the digital copy machine to a plurality of host computers connected via a communication network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



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PRIMARY EXAMINER